

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON**

In the Matter of Annexing the City of)
Clatskanie to the Rainier Cemetery)
District)

ORDER NO. 31-2012

WHEREAS, pursuant to ORS 198.866(1), on February 1, 2012, the City of Clatskanie ("City") adopted Resolution No. 2012-03, proposing annexation of the territory of the City to the Rainier Cemetery District ("District"), which is attached hereto as Exhibit 1, and is incorporated herein by this reference; and

WHEREAS, pursuant to ORS 198.866(2), on February 7, 2012, the District adopted Resolution No. 001-12, approving the City's annexation proposal, and calling an election in the District, which is attached hereto as Exhibit 2, and is incorporated herein by this reference; and

WHEREAS, pursuant to ORS 198.866(2), on February 10, 2012, the City adopted resolution No. 2012-04, calling an election on the proposed annexation in the City, which is attached hereto as Exhibit 3, and is incorporated herein by this reference; and

WHEREAS, on May 15, 2012, an election was held on the proposed annexation in the City and the District; and

WHEREAS, voters in both the City and the District approved the proposed annexation; and

WHEREAS, pursuant to ORS 198.867(1), both the City and the District have certified the results of the election to the Board of County Commissioners, and have presented the certificates, to the Board of County Commissioners; and

WHEREAS, the certificates from the District and the City are attached hereto as Exhibit 4, and are incorporated herein by this reference; and

WHEREAS, pursuant to ORS 198.867(3) upon receipt of the certificates, the Board of County Commissioners shall enter an order annexing the territory included in the City to the District; and

WHEREAS, upon entry of such an order, the City territory, together with any territory thereafter annexed to the City shall be included in the boundaries of the District, and shall be subject to all liabilities of the District in the same manner and to the same extent as other territory included in the District; and

WHEREAS, the territory proposed for annexation into the District is legally described on the document attached hereto, labeled Exhibit 5, and is incorporated herein by this reference; and

WHEREAS, the map of the territory proposed for annexation into the District is attached hereto, labeled Exhibit 6, and is incorporated herein by this reference; and

WHEREAS, there have been no boundary changes to the City of Clatskanie since January 1, 2012;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. The incorporated territory of the City of Clatskanie, as described in Exhibit 5 and as shown in Exhibit 6, attached hereto, is annexed to the Rainier Cemetery District. Any territory annexed to the City after January 1, 2012, shall be included in the boundaries of the District, and shall be subject to all liabilities of the District in the same manner and to the same extent as other territory included in the District.

2. The boundaries of the District are extended to include the City of Clatskanie, as described and shown in Exhibits 5 and 6, and as further annexed to the City after January 1, 2012.

3. The Principal Act of the District is ORS Chapter 265.

4. The name of the District will remain the Rainier Cemetery District. The purpose of the District is to provide cemetery services to the residents within the District.

5. Within 10 days after the date of this Order, duplicate copies of this Order shall be filed with the Department of Revenue, the Secretary of State, the Columbia County Clerk and the Columbia County Assessor. For purposes of ad valorem taxation, a boundary change must be filed in final approved form with the County Assessor and the Department of Revenue as provided in ORS 308.225.

DATED this 27th day of June 2012.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____

Anthony Hyde, Chair

By: _____

Earl Fisher, Commissioner

By: _____

Henry Heimuller, Commissioner

Approved as to form

By: Sarah Hanson
Office of County Counsel

EXHIBIT 1

RESOLUTION 2012-03

A RESOLUTION BY THE CITY OF CLATSKANIE, OREGON CONSENTING TO AND PROPOSING ANNEXATION TO THE RAINIER CEMETERY DISTRICT FOR THE PURPOSE OF RECEIVING SERVICE FROM THE RAINIER CEMETERY DISTRICT

WHEREAS, The Rainier Cemetery District ("the District") is an existing cemetery maintenance district organized under Oregon Revised Statutes chapter 265; and

WHEREAS, the City Council of the City of Clatskanie ("the Council") desires to propose annexation of the City of Clatskanie ("the City") to the District for the purpose of receiving service from the District; and

WHEREAS, the City Council and the City understand that if annexation were to occur the District would operate the three existing cemeteries in the City; and

WHEREAS, the territory of the City may only be included within the boundaries of the cemetery district if the City Council adopts a resolution consenting to and proposing annexation the Columbia County Board of Commissioners; and

WHEREAS, it now appears appropriate for the City to request annexation and, if the district board approves, to ask its electors to vote on whether the City should be annexed into the District so as to receive service from the District.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLATSKANIE, OREGON, that;

Section 1. The City of Clatskanie proposes and consents to the annexation of the City into the District for the purpose of receiving cemetery and related services from the District.

Section 2. The City Recorder shall certify a copy of this Resolution to the District Board of Directors.

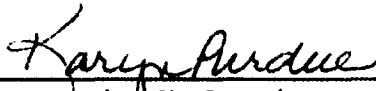
Section 3. The City requests the District Board of Directors to take action on this proposal to enable the annexation question to be placed on the May 15, 2012 ballot.

Section 4. This Resolution shall become effective immediately upon its adoption.

DATED this 1st day of February 2012.

Approved by the Council on the 1st day of February 2012.

ATTEST:


Karyn Purdue, City Recorder


Diane Pohl, Mayor

ROLL CALL ON ADOPTION

AYE NAY ABSTAIN ABSENT

Diane Pohl, Mayor

X

Steve Constans

X

Kathy Engel

X

Toby Harris

X

Jim Morgan

X

Ron Puzey

X

Travis Zea

X

RAINIER CEMETERY DISTRICT

Resolution No. 001-12

**RESOLUTION APPROVING ANNEXATION PROPOSAL BY THE CITY OF CLATSKANIE
FOR ANNEXATION OF THE PROPERTIES WITHIN THE CITY TO
THE RAINIER CEMETERY DISTRICT**

WHEREAS, the City of Clatskanie ("the City") wishes to have the land within the boundaries of the City annexed to the Rainier Cemetery District ("the District") and has provided the District with a certified Resolution proposing such annexation as is authorized by ORS 198.866(1);

WHEREAS, the District wishes to annex the properties within the City as proposed by the City and is able and willing to provide cemetery and related services within the City;

THEREFORE, BE IT RESOLVED, that the Board of Directors of the Rainier Cemetery District hereby approves the City of Clatskanie annexation proposal as stated in the City's Resolution No. 2012-03 adopted on February 1st, 2012;

IT IS FURTHER RESOLVED that, in accordance with ORS 198.866, the Board of Directors of the District hereby call for an election to be held in the Rainier Cemetery District on May 15, 2012 on the question of approving annexation of the City of Clatskanie to the Rainier Cemetery District for the purpose of receiving cemetery and related services from the Rainier Cemetery District.

IT IS FURTHER RESOLVED that the election will conducted by Columbia County. The County Clerk for Columbia County is hereby instructed to prepare ballots and to take other actions necessary to conduct the election.

IT IS FURTHER RESOLVED that ballots from the election shall be counted and tabulated and the results certified as provided by law. If a majority of the legal voters of the Rainier Cemetery District and a majority of the legal voters of the City approve the annexation, the District shall proceed to complete the annexation as provided by law in conjunction with the City of Clatskanie and take such other related actions as provided by law.

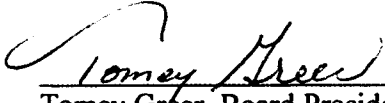
IT IS FURTHER RESOLVED THAT this resolution, including the proposed ballot title (Exhibit A) which is hereby approved, shall be filed with the custodian of records of the Rainier Cemetery District.

IT IS FURTHER RESOLVED THAT this resolution shall become effective February 10th, 2012.

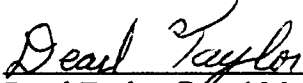
IT IS FURTHER RESOLVED that the Manager of the Rainier Cemetery District shall certify a copy of this resolution to the Clatskanie City Council for the City to call an election within the City on May 15, 2012.

ADOPTED this 7th day of February 2012.

APPROVED BY:


Tomey Greer, Board President

ATTEST:


Dearl Taylor, Board Member


Janice Carstensen Board Member

Exhibit A

Ballot Title

Caption (up to 10 words)

Measure proposing The City of Clatskanie annexation to Rainier Cemetery District

Question (up to 20 words)

Shall the Rainier Cemetery District annex the City of Clatskanie and provide cemetery services within the City of Clatskanie?

Summary (up to 175 words)

Approving this measure would annex the properties within the City of Clatskanie as its boundaries now exist to the Rainier Cemetery District. The Clatskanie City Council proposed this measure annexing the properties within the City to the Cemetery District. Annexation would allow the Rainier Cemetery District to provide cemetery services directly to properties within the City which would subject properties within the City to the Rainier Cemetery District's property tax rate, and allow residents within the City to vote on the membership of the Cemetery District's governing board, beginning with the May, 2013 election.

EXHIBIT 3

RESOLUTION 2012-04

A RESOLUTION CALLING FOR AN ELECTION WITHIN THE CITY OF CLATSKANIE ON THE QUESTION OF ANNEXATION OF THE PROPERTIES WITHIN THE CITY TO THE RAINIER CEMETERY DISTRICT

WHEREAS, the City of Clatskanie proposed annexation to the Rainier Cemetery District ("the District") in accordance with ORS 198.866(1); and

WHEREAS, the Cemetery District Board has approved by Board resolution the annexation proposed by the City in accordance with ORS 198.866(2); and

WHEREAS, The Cemetery District has called for an election in the District by its own resolution; and

WHEREAS, the City wishes to call for an election within the City of Clatskanie on the question of annexation of the District to enable the City to receive cemetery and related services from the District.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLATSKANIE, OREGON as follows that:

Section 1. An election is called to be held in the City of Clatskanie on May 15, 2012 on the question of approving annexation of the City of Clatskanie to the Rainier Cemetery District for the purpose of receiving cemetery and related services from the District.

Section 2. The election will be conducted by Columbia County. The County Clerk for Columbia County is hereby instructed to prepare the ballots and to take other actions necessary to conduct the election.

Section 3. The proposed ballot title with conditions and current tax rate prepared by the City Council for the measure is attached as Exhibit A.

Section 4. Ballots from the election shall be counted and tabulated and the results certified as provided by law. If a majority of the legal voters of the City of Clatskanie voting on the measure approve the measure, the City shall proceed to complete the annexation as provided by law in conjunction with the District Board of Directors.

Section 5. This Resolution, including the proposed ballot title, shall be filed with the City Recorder at the City of Clatskanie City Hall.

Section 6. Upon filing of this Resolution, the City Recorder shall give notice of the election by posting notice thereof in a public place in City Hall and by publishing a notice thereof in a newspaper of general circulation in the City of Clatskanie. The notice shall contain a statement that the ballot title was received, a statement that an elector may file a petition for review of the ballot title, the deadline

by which petitions for review must be filed, the ballot title caption and question. The City Recorder shall take such other actions and otherwise proceed with the election as provided by state law.

Section 7. This Resolution shall be effective on the 10th day of February, 2012.

DATED this 8th day of February 2012.

ATTEST Karyn Purdue
Karyn Purdue, Recorder

Diane Pohl
Diane Pohl, Mayor

ROLL CALL ON ADOPTION

AYE NAY ABSTAIN ABSENT

Diane Pohl, Mayor	X			
Steve Constans	X			
Kathy Engel	X			
Toby Harris	X			
Jim Morgan	X			
Ron Puzey	X			
Travis Zea	X			

Exhibit A

Exhibit A

Ballot Title

Caption

Measure proposing The City of Clatskanie annexation to the Rainier Cemetery District

Question: (up to 20 words)

Shall the City of Clatskanie annex to the Rainier Cemetery District for the purpose of receiving cemetery services?

Summary (up to 175 words)

Approving this measure would annex the properties within the City of Clatskanie as its boundaries now exist to the Rainier Cemetery District. The Clatskanie City Council proposed this measure annexing the properties within the City to the Cemetery District. Annexation would allow the Rainier Cemetery District to provide cemetery services directly to properties within the City which would subject properties within the City to the Rainier Cemetery District's property tax rate, and allow residents within the City to vote on the membership of the Cemetery District's governing board, beginning with the May, 2013 election. The Rainier Cemetery District's current property tax rate is .0709 dollars per thousand dollars of assessed value.

EXHIBIT 4

CITY OF CLATSKANIE

RESOLUTION 2012-08

A RESOLUTION AND CERTIFICATE CERTIFYING THE RESULTS OF THE MAY
15, 2012 ELECTION CONCERNING ANNEXATION OF THE CITY OF
CLATSKANIE INTO THE RAINIER CEMETERY DISTRICT

WHEREAS, at the May 15, 2012 election, the electors of the City of Clatskanie
approved the annexation of the City of Clatskanie into the Rainier Cemetery District;


WHEREAS, pursuant to ORS 198.867, it is necessary that the Common Council
of the City of Clatskanie certify the fact of the approval by the city electors of the
proposal for annexation to the Columbia County Board of Commissioners;


NOW, THEREFORE, BE IT RESOLVED AND CERTIFIED:

1. At the May 15, 2012 election, the city electors approved the annexation of the
City of Clatskanie into the Rainier Cemetery District.

2. The City Manager of the City of Clatskanie is hereby directed to present this
Resolution and Certificate forthwith to the Board of Directors of the Rainier Cemetery
District pursuant to ORS 198.867.

Approved by the Council and certified by the Mayor this 6th day of
June, 2012.


Diane Pohl, Mayor

ATTEST: 
Karyn Rurdue, City Recorder

ROLL CALL ON ADOPTION		Aye	Nay	Absent
Mayor:	Diane Pohl	X		
Councilors	Steve Constans	X		
	Kathy Engel	X		
	Toby Harris			X
	Jim Morgan	X		
	Ron Puzey	X		
	Travis Zea	X		

RESOLUTION 2012-002

A RESOLUTION AND CERTIFICATE CERTIFYING THE RESULTS OF THE MAY
15, 2012 ELECTION CONCERNING ANNEXATION OF THE CITY OF
CLATSKANIE INTO THE RAINIER CEMETERY DISTRICT

WHEREAS, at the May 15, 2012 election, the electors of the Rainier Cemetery District approved the annexation of the City of Clatskanie by the Rainier Cemetery District;

WHEREAS, the Board of Directors of the Rainier Cemetery District has been presented with a Resolution and Certificate from the City of Clatskanie certifying the fact of the approval by the electors of the City of Clatskanie of the annexation of the City of Clatskanie into the Rainier Cemetery District;

WHEREAS, pursuant to ORS 198.867, it is necessary that the Board of Directors of the Rainier Cemetery District certify the fact of the approval by the Rainier Cemetery District electors of the proposal for annexation to the Columbia County Board of Commissioners;

NOW, THEREFORE, BE IT RESOLVED AND CERTIFIED:

1. At the May 15, 2012 election, the electors of the Rainier Cemetery District approved the annexation of the City of Clatskanie by the Rainier Cemetery District.
2. The Rainier Cemetery District board hereby directs to attach this Resolution and Certificate to the Resolution and Certificate of the City of Clatskanie described above and present both certificates to the Board of County Commissioners of Columbia County, pursuant to ORS 198.867.

ADOPTED this 11th day of June, 2012.

APPROVED BY:


Board President

ATTEST:

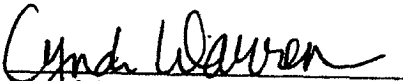
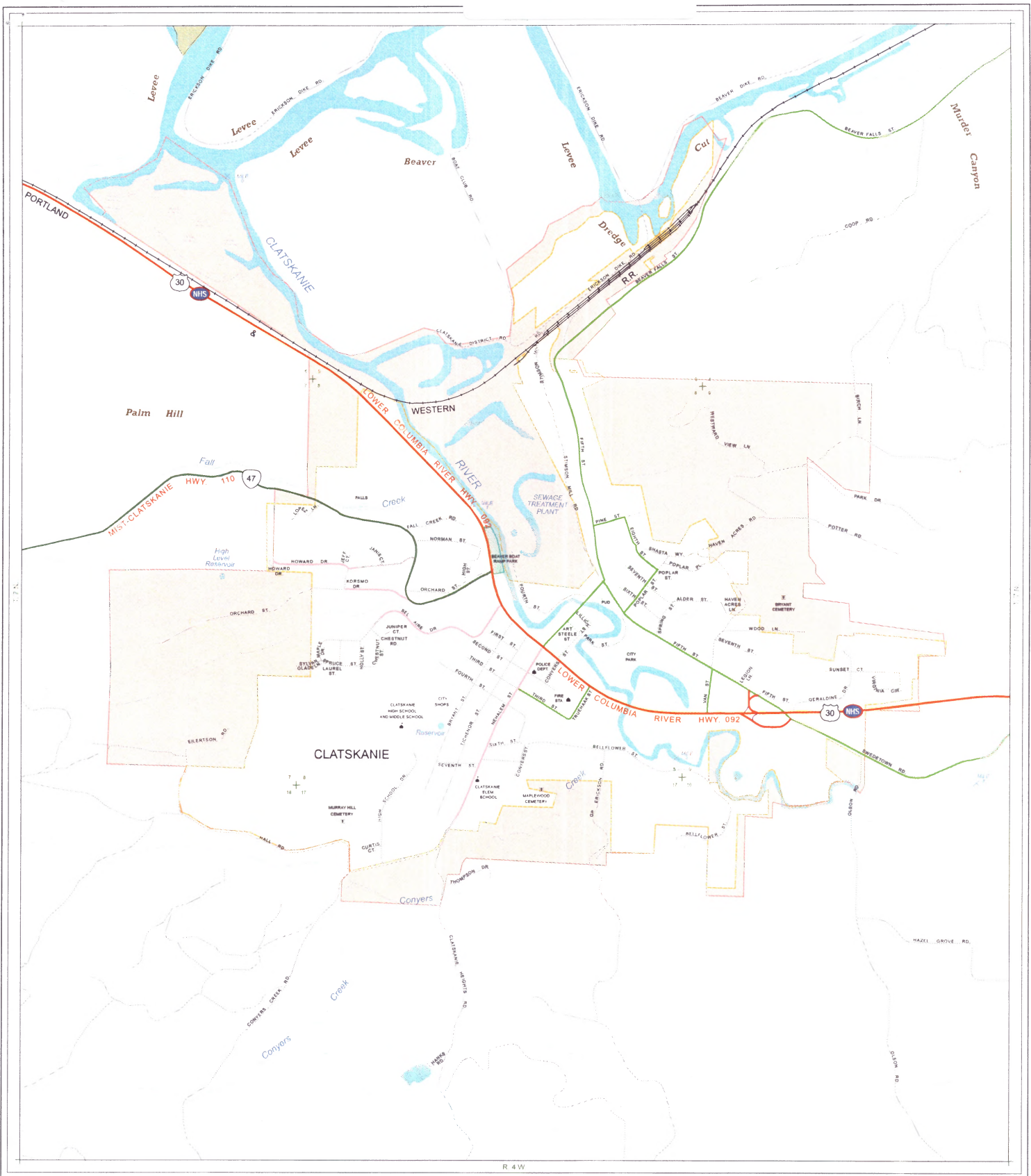

Board Secretary

Exhibit 5

Legal Description

All territory included in the City of Clatskanie, as it existed on January 1, 2012



LEGEND

FOR FURTHER FUNCTIONAL CLASSIFICATION INFORMATION, CONTACT ODOT REGION OFFICE

STATE HWY

OTHER JURISDICTION

INTERSTATE

PRINCIPAL ARTERIAL

MINOR ARTERIAL

URBAN COLLECTOR

RURAL MAJOR COLLECTOR

MINOR COLLECTOR

LOCAL ROAD

INTERSTATE US ROUTE ONE ROUTE

NATIONAL HIGHWAY SYSTEM ROUTE

CITY LIMIT

URBAN GROWTH BOUNDARY

RAILROAD AMTRAK PASSENGER STATION

GRAVEL PIT QUARRY ODOT STOCKPILE

ODOT MAINTENANCE STATION

CEMETERY

PUBLIC BUILDING

COURTHOUSE

HOSPITAL

CITY HALL

JANUARY

POST OFFICE

SCHOOL

LIBRARY

SAFETY REST AREA

WEEKLY STATION

PARK & RIDE LOCATION

INTERCITY CITY TRANSIT

COMMERCIAL GENERAL AVIATION

PORT FACILITY

Published by

ODOT GIS

PREPARED DIGITALLY BY THE OREGON DEPARTMENT OF TRANSPORTATION IN COOPERATION WITH THE U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION

NORTH

SCALE

0 500 1,000 2,000 Feet

0 145 290 580 Meters

CLATSKANIE POPULATION 1,735

T.7 N. R.4 W. W.M.

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OREGON TRANSPORTATION MAP

Showing Federal Functional Classification of Roads

City of

CLATSKANIE

COLUMBIA COUNTY

2011 Edition

PARK & RIDE INTERCITY AMTRAK

AVAILABLE TRANSPORTATION SERVICES SHOWN WITH YELLOW BACKGROUND

PORT AIRPORT COMM AIR

AVAILABLE TRANSPORTATION SERVICES SHOWN WITH YELLOW BACKGROUND